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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/259,000 02/26/99 RUTLEDGE

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EXAMINER

LM02/0605

BAKER & BOTTS
2001 ROSS AVENUE
DALLAS TX 75201

PHILIPPE, G

ART UNIT

PAPER NUMBER

2713

5

DATE MAILED:

06/05/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/259,000

Applicant(s)
Rutledge

Examiner
Gims Philippe

Group Art Unit
2713



☒ Responsive to communication(s) filed on Mar 27, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-33 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-33 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Response to Amendment

1. Applicant's amendment received on March 27, 2000 in which claims 1-4, 6, 8-13, 15, 18-20, 23, 25-26, 28, and 33 were amended has been fully considered and entered, but the arguments are not deemed to be persuasive.

The applicant's amendments do not overcome the prior art of record. While the applicant points that Federau does not teach a first and a second image sensors operable to acquire images in a first and a second direction perpendicular to each other, the examiner notes that in col. 4, lines 2-13 Federau teaches multiple sensors elements 27 of fig. 2 in addition to sensor 47 of fig. 1 (also see col. 4, lines 58-68). These elements in Federau clearly provides the claimed arrangement. In addition, in col. 5 lines 1-11, Federau teaches controlling the line sensor individually in order to avoid errors caused by the different illumination of the object space and the different sensitivities of the sensor elements.

Claim Rejections - 35 U.S.C. § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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3. Claims 18-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 18-28 call for “the direction of travel of the housing”. Proper antecedent basis for the direction of travel of the housing had not been established. The claims further call for a second direction being perpendicular to the first direction. This limitation further makes the claim language indefinite since the direction of travel of the housing is not necessarily “approximately parallel” to the second direction for the second image capture.

Claim Rejections - 35 U.S.C. § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-4, and 9-17, and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Federau (US Patent no. 4,532,544).

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Regarding claims 1-2, Federau discloses in fig. 1 the same video inspection system comprising a first image sensor operable to acquire an image in a first direction along a first axis (See Federau fig. 1, items 41 and 23, and col. 4, lines 2-13), a second image sensor operable to acquire an image in a second direction essentially perpendicular to the first direction (See Federau col. 4, lines 2-13), and a camera board and processor coupled to the first image sensor and second image sensor operable to receive an image from either the first image sensor or the second image sensor and prepare for display (See Federau col. 4, lines 14-25).

As per claims 3-4 and 12-13, the limitations of these claims have been noted in the above rejection of claim 1. In addition, Federau further discloses the same pressure sealed camera mounted for use in a bore hole or water wall (See Federau col. 2, lines 2-5).

As per claims 9 and 11 Federau further discloses the same video inspection system wherein the first image sensor, the second image sensor, and the camera board and processor are mounted in a camera assembly operable to rotate about the first axis when the second image sensor is acquiring an image (See Federau col. 4, lines 46-50).

As per claim 10, the limitations of these claims have been noted in the above rejection of claim 1. In addition, Federau further discloses the rotation of the rotatable housing (See Federau col. 3, lines 1-5, and col. 4, lines 61-65).

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Claim Rejections - 35 U.S.C. § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 5-8, 14-17 and 29-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Federau in view of Barbour (US Patent no. 5,652,617), and further in view of Berman et al. (US Patent no. 5,528,453).

It is noted that Federau fails to particularly disclose the same system for video inspection comprising a spool for storing a coaxial cable as specified in claims 5-6, 29 and 31.

Barbour discloses the same system for video inspection comprising a spool for storing the coaxial cable (See Barbour fig. 1, spool 4, D connectors, col. 8, lines 23-26, and col. 12, lines 18-20) wherein the D connectors can allow quick disconnect.

Therefore, it is considered obvious that one skilled in the art at the time of the invention having Federau and Barbour before him/her, would be motivated to include Barbour's spool in Federau's system for video inspection for the same purpose of raising and lowering the video tool which eliminates the need of an extra worker winding and unwinding the cable.

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It is also noted that although both Federau and Barbour disclose a monitor to display the image captured by the camera (See Barbour fig. 1, display 12), they fail to particularly teach a carrying case having a removable cover as specified in claims 7 and 30.

Berman et al. discloses the same system for video inspection comprising a carrying case having a removable cover (See Berman et al. fig. 9, and col. 7, lines 36-45).

Therefore, it is considered obvious that one skilled in the art at the time of the invention having Federau, Barbour, and Berman et al. before him/her, would have had no difficulty to modify the system for video inspection of Federau and Barbour by incorporating a carrying case having a removable cover for the same purpose of facilitating easy and quick storage into closets or loading into the trunk of a car for transportation as taught by Berman et al. (See Berman et al. col. 7, lines 37-39).

As per claims 8 and 32 the limitations of these claims have been noted in the above rejection of claims 5 and 29. In addition, Federau further discloses the same cable arm encoder operable to determine the depth of the camera (See Federau fig. 1, encoder 45, and col. 4, lines 58-68).

As per claim 33, the limitations of this claim have been noted in the above rejection of claim 32. In addition, Federau's rotational drive generates the claimed high torque (See Federau rotational drive 44 of fig. 1, and col. 3, lines 4-5).

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8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S. Philippe whose telephone number is (703) 305-1107. The examiner can normally be reached on Monday through Friday from 8 a.m. to 4 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelly, can be reached on (703) 305-4856. The fax phone number for this Group is (703) - 308-9052 (formal responses) and (703) -308-5399 (for draft responses).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)-305-3900

Gims S. Philippe

SP

May 31, 2000

Chris S. Kelley

CHRIS S. KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700